

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED  
September 23, 2024  
LAURA A. AUSTIN, CLERK  
BY: s/A. Beeson  
DEPUTY CLERK

GREGORY T. NELSON,

Plaintiff,

v.

ROANOKE CITY JAIL et al.,

Defendants.

Case No. 7:22-cv-00690

**MEMORANDUM OPINION**

By: Hon. Thomas T. Cullen  
United States District Judge

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Plaintiff Gregory T. Nelson, proceeding *pro se*, filed a civil-rights complaint under 42 U.S.C. § 1983. On June 17, 2024, Defendants jointly moved to dismiss Plaintiff's claims under Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6). (ECF No. 26.) On June 21, 2024, the Court ordered Plaintiff to respond to Defendants' motion within 21 days and advised Plaintiff that his failure to respond could result in dismissal of this action. (Order, June 21, 2024 [ECF No. 28].)

More than 21 days have elapsed from the date of the Court's order, and Plaintiff has not responded to Defendants' motion. Accordingly, the Court will dismiss this action without prejudice for failure to prosecute and to comply with the Court's order. *See* Fed. R. Civ. P. 41(b).

The Clerk is directed to forward a copy of this Memorandum Opinion and the accompanying Order to the parties.

**ENTERED** this 23rd of September, 2024.

/s/ Thomas T. Cullen  
HON. THOMAS T. CULLEN  
UNITED STATES DISTRICT JUDGE